

**AFFIDAVIT IN SUPPORT OF**  
**AN APPLICATION FOR A SEARCH WARRANT**

I, Kendra L. Holloway, Affiant, being duly sworn under oath deposes and states:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant for information associated with certain accounts that are stored at premises owned, maintained, controlled, or operated by PayPal Holdings, Inc. ("PayPal"), an online payment platform headquartered at 2211 North First Street, San Jose, California, 95131. The information to be searched as described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require PayPal to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

2. Affiant is a Special Agent with the Federal Bureau of Investigation (FBI), and have been since August 2016. Affiant has been assigned to the FBI Office in Bismarck, ND, since February of 2017, wherein Affiant's responsibilities include the investigation of violations of federal statutes relating to health care fraud, mail fraud, wire fraud, and money laundering. Affiant has extensive investigative training provided by the FBI. Affiant has been trained for, and participated in, the execution of search warrants involving various violations other Federal Criminal Code.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other Law Enforcement Personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that a violation of Title 18, United States Code, §1341 (Wire Fraud) has been committed by Elena Ivaskevich. There is also probable cause to search the information described in Attachment A for evidence of these crimes further described in Attachment B.

**JURISDICTION**

5. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. Specifically, the Court is "a district court of the United States ... that has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i). See also 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A).

**PROBABLE CAUSE**

6. On 06/26/2020, FBI Bismarck received a report from the Burleigh County Sheriff's Department Investigator Jared Lemieux (Investigator Lemieux) that Rides Auto Sales, 1200 North Star Drive Bismarck, ND, attempted to buy a 1967 Camaro from an Allen David Miller (Miller) utilizing the Internet Website [www.Ebay.com](http://www.Ebay.com). Rides reported they found the Camaro on eBay with the username "dboissoccer." After Miller sent Rides Auto Sales the title for the vehicle, Rides Auto Sales wired Miller \$31,500 through American Banking Investments. When Rides Auto Sales sent a flatbed trailer to Miller's alleged location in California to pick up the Camaro, neither existed. Investigator Lemieux provided writer with a copy of an email Miller sent to Rides Auto Sales with the business account wiring information listed as:

Bank Name: Bank of America

Bank Address: 6210 Beach Blvd, Buena Park, CA 90621

Title on Account: Allen Miller Enterprise LLC

Holder Address: 8206 Coralbell Way, Buena Park, CA 90620

Account Number: 374000505309

Wire Routing: 026009593

7. Investigator Lemieux stated he served a warrant for the aforementioned Bank of America account's information for the dates of 05/07/2020 to 05/29/2020 and noted (3) incoming wires from individuals located in North Dakota, North Carolina, and Ohio, followed by (3) outgoing wires to Istanbul, Turkey. Specifically, on 05/27/2020, \$70,000 was wired to the account from an account at Fifth Third Bank belonging to McGregor Real Estate, Inc.

8. On 07/07/2020, James McGregor, owner of McGregor (McGregor) Real Estate Inc. was interviewed and stated on 05/27/2020, seven wire transfers were taken from three business accounts associated with McGregor's businesses, resulting in a total loss of about \$590,000. After the interview, McGregor emailed your affiant a copy of a chart the bank sent him which indicated the beneficiary(s) name(s) and Bank(s) of the aforementioned seven wire transfers. A review of the table showed \$99,763.48 was deposited into the beneficiary Up Trade LLC's Bank of America account and \$99,800 was deposited into beneficiary KritX Lend ZZ LLC Bank of America Account.

9. On 07/08/2020 and 07/10/2020, Brad Porter (Porter) was telephonically interviewed and stated he used to own Up Trade LLC. Porter stated he got hired by a packaging company called Aly Trade. Porter stated Aly Trade told him they were going to open up a new part of the business and they wanted him to run it. Porter stated they opened up Up Trade LLC and next thing he knew they told him they got him a bank account from Bank of America and they had some investors they wanted to put him in touch with. Porter stated he didn't have any activity then next thing he knew he checked his account and there was almost \$500,000 in it. Porter stated his boss from Aly Trade told him she needed him to go get the money so he called the bank to make sure everything was on the "up and up: and the bank told him a guy said the money was stolen from his account. After the interview Porter forwarded writer approximately 189 emails in regards to captioned matter. A review of the emails revealed the following:



A. On 01/17/2020, Aly Trade HR Manager Julia Pribablovski (Privavlovski), email [sv1@aly-trade.us](mailto:sv1@aly-trade.us), telephone number (732) 903-8971, Address 1415 RT 70 3RD FLOOR, SUITE 311-315, CHERRY HILL, NJ 08034 emailed Porter and stated In accordance with federal and state regulations validated by license 0450423812 ALY TRADE provides logistic services in the United States. Granted by the Federal Employment Identification number 84-3256057 ALY TRADE is allowed to hire new employees among US citizens and make annual reports due by January, 15. Pribablovski attached a State of New Jersey Certificate which showed Aly Trade LLC was registered on 10/03/2019 and belonged to Alyson Enright, 23 Lakeview Ct, Cherry Hill, NJ 08003 and an IRS notice letter which showed Aly Trade LLC was assigned the EIN 84-3256057

B. On 01/20/2020, Pribablovski emailed Porter and told him From now he would be considered as an official employee of ALY TRADE LLC and he could be paid by direct deposit or PayPal

C. On 04/14/2020, Pribablovski emailed Porter and told him "they were expecting \$489,550.00 to BoA business account. We are supposed to use about \$450,000.00 for payment for the systems and the masks. \$20k will be paid to you in advance. Your payment will be increased to \$10k per month because of the big workload this is why \$10k for the first month and \$10k for the second month. \$10k we will leave on the balance for an year rent. Now we supposed to work on the payments to BoA seller. Once seller prefers to get the money by bitcoins and another directly on the bank account. Are you at your PC now? First we need to fund Kraken account."

Porter further stated he got paid for his first job via PayPal. Porter stated he received (2) payments, one for \$200 and another for \$20, from Elena Ivaskevich, Email [Ivaskevich.EV@gmail.com](mailto:Ivaskevich.EV@gmail.com).

10. On 07/09/2020, Matthew Eckman (Matthew), was telephonically interviewed and stated he was the owner of KritX Lend ZZ LLC. Matthew stated he was employed by JJ Estore and an individual named Megan (NFI) told him to create the LLC. Matthew stated he had worked for JJ Estore for approximately three months. Matthew stated he did not make a lot of money until recently. Matthew stated approximately ninety-two plus thousand dollars was wired into his business account. Matthew stated he was told he could keep \$4500 and told to wire the rest to purchase goods from Turkey. Matthew stated he was instructed to open a PayPal and EBay account and the company did pay him via PayPal. Matthew stated the payment transactions from PayPal came from, Elena Ivaskevich (Elena), Email [Ivaskevich.ev@gmail.com](mailto:Ivaskevich.ev@gmail.com). Matthew stated he received (3) payments of \$100, \$200, and \$150 from Elena.

### **BACKGROUND CONCERNING EMAIL**

11. In my training and experience, I have learned that PayPal provides a variety of on-line services, including digital payment system, to the public. PayPal allows users to create accounts with an email address, like the email address listed in Attachment A. Users obtain an account by registering with PayPal Inc. During the registration process, PayPal asks users to

provide basic personal information. Therefore, the computers of PayPal are likely to contain stored electronic communications and information concerning users and their use of PayPal Inc. services, such account access information, transaction information, and account application information. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

12. In my training and experience, PayPal, like email providers, asks their users to provide certain personal identifying information when registering for PayPal account. Such information can include the user's full name, physical address, telephone numbers and other identifiers, and alternative email addresses. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and experience, I know that, even if users insert false information to conceal their identity, this information often provides clues to their identity, location, or illicit activities.

13. In my training and experience, PayPal, like email providers, typically retains certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of log-in (i.e. session) times and durations, the status of the account (including whether the account is inactive or closed), and other log files that reflect usage of the account. In addition, PayPal, like email providers, often has records of the Internet Protocol address ("IP address") used to register the account and the IP addresses associated with particular logins to the account. Because of every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the PayPal account.

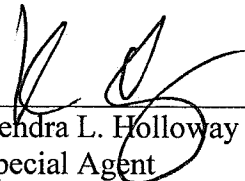
14. This applications seeks a warrant to search all responsive records and information under the control of PayPal Inc., a provider subject to the jurisdiction of this court, regardless of where PayPal Inc. has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or users if such communication, record, or other information within PayPal's possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.<sup>1</sup>

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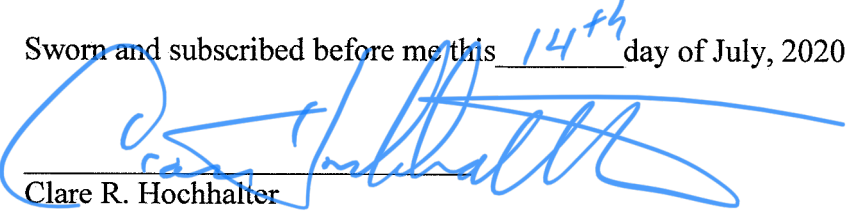
<sup>1</sup> It is possible that PayPal stores some portion of the information sought outside of the United States. I respectfully request that this warrant apply to all responsive information – including data stored outside the United States – pertaining to the identified account that is the possession, custody, or control of PayPal. *See In re Search Warrant No. 16-960-M-01 to Google*, 232 F. Supp. 3d 708, 709 (E.D. Pa. 2017) *aff'd sub nom. In re Search Warrant No. 16-960-M-1 to Google*, No. 16-1661, 2017 WL 3535037 (E.D. Pa. Aug 17, 2017). The government also seeks the disclosure of the physical location or locations where the information is stored.

15. As explained herein, information stored in connection with a PayPal account may provide crucial evidence of the “who, what, why, when, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element of alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with a PayPal account can indicate who has used or controlled the account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, listings, messages and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the account at a relevant time. Further, information maintained by PayPal can show how and when the account was accessed or used. For example, as described below, PayPal logs the Internet Protocol (IP) addresses from which users access the account, along with the time and date of that access. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the PayPal account access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculcate or exculpate the account owner. Additionally, information stored at the user’s account may further indicate the geographic location of the account user at a particular time (e.g., location information integrated into an image sent via message). Last, stored electronic data may provide relevant insight into the PayPal account owner’s state of mind as it relates to the offense under investigation. For example, information in the account may indicate the owner’s motive and intent to commit a crime (e.g. communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

16. Based on the foregoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on PayPal, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

  
Kendra L. Holloway  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me this 14<sup>th</sup> day of July, 2020

  
Clare R. Hochhalter  
United States Magistrate Judge